

DRAFT

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

October 21, 2002
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Lee, and Noble

ABSENT: Councilmember Mosher

1. Call to Order

The meeting was called to order at 8:03 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers except Mr. Mosher were present. Dr. Davidson led the flag salute.

3. Communications: Written and Oral

Michael Pollowitz, Executive Director of Parkview Services, encouraged Council to support Agenda Item 11(b), which will provide two homes for developmentally disabled adults. The project has received financial commitments from Washington State, King County, Parkview Services, and Federal Home Loan Bank.

4. Reports of Community Councils, Boards and Commissions: None.

5. Report of the City Manager

City Manager Steve Sarkozy said the Access Downtown project is progressing well, in part due to the favorable weather. The SE 8th Street and NE 8th Street interchange projects are currently ahead of schedule and within budget. Construction impacts have been successfully mitigated through the City's coordination with Sound Transit, Washington State Department of Transportation, and contractors.

Referring to Agenda Item 8(n), Mr. Sarkozy explained that this project was initiated through a recommendation from the West Lake Hills Citizen Advisory Committee. The SE 16th Street improvements include sidewalks and bike lanes from 145th Place to 148th Avenue SE, turn lanes at 145th Place, and a new traffic signal at 145th Place and SE 16th Street. The project was identified as a top priority through the West Lake Hills Neighborhood Investment Strategy earlier this year.

6. Council Business

Mr. Lee attended the Access Downtown Advisory Committee meeting and the completion celebration for the 140th Avenue corridor improvement project.

Deputy Mayor Degginger attended meetings of the Construction Code Advisory Committee, Cascade Water Alliance, Access Downtown Advisory Committee, and the Growth Management Planning Council.

Dr. Davidson attended meetings of the Probation Board, WRIA 8 (Water Resource Inventory Area 8) Forum, and the Salmon Shared Strategy Forum.

Mr. Creighton co-chaired the Downtown Implementation Plan Citizen Advisory Committee meeting. He invited the public to an open house beginning at 5:00 p.m. on October 22 to provide information about the DIP Draft Environmental Impact Statement. The open house will be held at First United Methodist Church, 1934 108th Avenue NE, and will be followed by a 7:00 public hearing.

Mr. Noble attended the 140th Avenue celebration and heard positive comments from residents about the project.

Mayor Marshall attended the Eastside Arts in Focus panel discussion. Mrs. Marshall, Mr. Lee, and Mr. Mosher attended the Republic of China celebration in downtown Seattle. Mayor Marshall represented Council at the reopening celebration for Kinderling Center in the Crossroads area. She noted that planning and fundraising for Bellevue 50 Fest is going well.

7. Approval of the Agenda

➡ Mr. Degginger moved to approve the agenda, and Dr. Davidson seconded the motion.

➡ The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

Deputy Mayor Degginger requested pulling item 8(h) for comment.

➡ Mr. Lee moved to approve the Consent Calendar with the exception of item 8(h), and Mr. Noble seconded the motion.

- ➡ The motion to approve the Consent Calendar, as amended, carried by a vote of 6-0, and the following items were approved:
- (a) Minutes of October 7, 2002 Study Session
Minutes of October 7, 2002 Regular Session
Minutes of October 14, 2002 Extended Study Session
 - (b) Motion to approve payment of claims for the period ending October 10, 2002, and payroll for the period September 16 through September 30, 2002.
 - (c) Resolution No. 6756 authorizing the execution of an Interlocal Agreement with King County for the housing of Bellevue inmates in the King County Jail through 2012. *(This agreement parallels the Yakima County Jail Services Agreement. Topic was discussed with Council during September 23 Extended Study Session.)*
 - (d) Resolution No. 6757 authorizing the execution of a Property Transfer Agreement with King County for the transfer of ownership of property located at 1440 116th Avenue NE in Bellevue to the City, on behalf of all King County cities, for the purpose of contributing financial assistance for future misdemeanor capacity for cities. *(Discussed with Council during September 23 Extended Study Session.)*
 - (e) Resolution No. 6758 authorizing the execution of both a distribution agreement with King County to accept specialized equipment from the Office of Emergency Management and a certifications/assurances agreement to support responses to hazardous materials and weapons of mass destruction.
 - (f) Resolution No. 6759 authorizing the execution of an amendment to agreement with Foster Pepper & Shefelman, PLLC, for legal services to the City in the condemnation actions of *Bellevue v. Hazelwood*, KCSC No. 01-2-04143-6 SEA, and *Bellevue v. Wilburton View*, KCSC No. 01-2-32567-1 SEA, amending the contract amount from \$40,000 to \$52,000. (CIP Plan No. PW-I-81)
 - (g) Resolution No. 6760 authorizing an amendment to the professional services agreement with Graham & Dunn, PLLC, for legal services in the City's appeals of Bennett, FAIR, and East Bellevue Community Municipal Corporation before the Growth Management Hearings Board, and related actions and appeals, to increase the total contract amount from \$110,000 to \$180,000.
 - (i) Resolution No. 6762 authorizing the execution of a five-year contract for Police Department photographic services with Gordon Hamasaki in an amount not to exceed \$60,000 per year.
 - (j) Motion to award Bid No. 0246 for the rehabilitation of the sidewalk and installation of wheelchair access ramps on NE 8th Street between 164th Place NE and 172nd Place NE in the amount of \$147,081.20 to R.W. Scott Construction as low bidder. (CIP Plan Nos. PW-M-3, NEP-1, and PW-W/B-49)

- (k) Resolution No. 6763 authorizing the amendment of a professional services contract with H.W. Lochner, Inc., for engineering services and the preparation of plans, specifications, and estimates for the 150th Avenue SE to SE 36th Street Project, in the amount of \$417,331 for a total contract amount not to exceed \$727,331. (CIP Plan No. PW-R-105)
- (l) Resolution No. 6764 authorizing the execution of a revised interlocal agreement with the City of Redmond for the construction of a landscaped median island, a walkway, storm drainage, and associated roadway improvements on NE 40th Street, west of 148th Avenue NE, for an approximate amount of \$73,000. (CIP Plan No. PW-W/B-56)
- (m) Resolution No. 6765 authorizing the execution of Amendment No. 3 to the consultant agreement with Jacobs (formerly Sverdrup Civil, Inc.) to provide professional engineering services for the preparation of plans, specifications, and estimates for the NE 29th Street connection. (CIP Plan No. PW-R-60)
- (n) Resolution No. 6766 authorizing the execution of a consultant agreement with Reid Middleton, Inc., to provide engineering services for the preparation of plans, specifications, and estimates for the SE 16th Street improvements. (CIP Plan No. PW-R-118)
- (o) Resolution No. 6767 authorizing the transfer and conveyance of NE 6th Street right-of-way, east of 112th Avenue NE, and portions of 114th Avenue NE in the vicinity of NE 6th Street, to Washington State Department of Transportation (WSDOT) and the reservation of permanent easement rights for public ingress/egress and utilities. (*Compensation of \$2,000,000 was received from WSDOT in 2001.*)

Item for Council Comment:

- (h) Resolution No. 6761 authorizing the acceptance of the sculptures *Rock Totem* by James Fitzgerald and *When Then Becomes Now* by J. Seward Johnson with an appraised value of \$175,000 as gifts of public art from Mary and Jon Shirley.

Mayor Marshall said she and Mr. Degginger wanted to pull this item to highlight the generous donation of two sculptures by Mary and Jon Shirley. Mrs. Marshall noted Mr. and Mrs. Shirley's ongoing support of the arts including a donation of land for the new Bellevue Art Museum.

Mary Pat Byrne, Arts Specialist, explained that the City's public art program is organized to commission new artwork, purchase or borrow artwork, and review potential gifts of art. Donations are reviewed by the Arts Commission for their quality and relationship to the City's collection. Staff researches the feasibility of artwork donations in terms of durability, public safety, and location. Ms. Byrne displayed slides of a sculpture by J. Seward Johnson titled

“When Then Becomes Now,” a life-size bronze of a girl sketching on a pad. Staff proposes placing the sculpture in Robinswood Park.

The second sculpture is titled “Rock Totem” by James Fitzgerald. Mr. Fitzgerald was a Seattle painter who worked for the Works Progress Administration (WPA) in the 1930s and as head of production illustration at Boeing during World War II. In 1959, all of his paintings were destroyed in a fire but some bronze sculptures survived. As a result, he focused on bronze sculpture for the remainder of his career, which ended with his death in 1973. A final site for “Rock Totem” has not been selected. However, staff feels it is ideal for a neighborhood entry or trail marker.

Ms. Byrne said the combined value of the two sculptures is \$175,000. The Arts Commission recommends acceptance of the donations.

➡ Deputy Mayor Degginger moved to approve Resolution No. 6761, and Mr. Lee seconded the motion.

➡ The motion to approve Resolution No. 6761 carried by a vote of 6-0.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

(a) Kimura PUD Annexation and De-annexation Boundary Line Adjustments

Nicholas Matz, Senior Planner, referenced page 11-1 of the Council packet and described two boundary line adjustment actions to de-annex property to Redmond and to annex property to Bellevue. These actions came about as a result of the development of the Kimura Planned Unit Development at the southeast corner of Bel-Red Road and NE 40th Street, along the Bellevue-Redmond border. The de-annexation is proposed because a 12-foot strip of land along Bel-Red Road was dedicated as right-of-way through the plat development approval. State law discourages a city boundary from being located within the right-of-way. Resolution No. 6768 authorizes the City Manager to execute an interlocal agreement to de-annex the right-of-way to Redmond.

Mr. Matz said the second proposed action is to annex a portion of Lot 19, which was vacated by Redmond and added to Lot 19 of the plat development through the plat approval process. State law allows for the correcting of lots split by a jurisdictional boundary. Council is asked to approve this annexation action through its approval of Resolution No. 6769.

Responding to Councilmember Lee, Mr. Matz said the developer owns the property to be annexed to Bellevue. The developer submitted a petition asking the City to correct the split lot.

- (1) Resolution No. 6768 authorizing the City Manager to execute an interlocal agreement with the City of Redmond relating to a Boundary Line Adjustment necessary for the de-annexation of designated right-of-way to the City of Redmond along Bellevue-Redmond Road near NE 40th Street, as allowed by RCW 35.13.310.
 - (2) Resolution No. 6769 resolving to adjust the boundary line between the City of Bellevue and the City of Redmond, pursuant to RCW 35.13.340 et seq., to allow for the annexation of a residential lot (Lot 19 in the Kimura Nursery Planned Unit Development) near the intersection of Bellevue-Redmond Road and NE 40th Street.
- ➡ Deputy Mayor Degginger moved to approve Resolution No. 6768 and Resolution No. 6769, and Mr. Lee seconded the motion.
- ➡ The motion to approve Resolution No. 6768 and Resolution No. 6769 carried by a vote of 6-0.
- (b) Resolution No. 6770 authorizing the City Manager to enter into agreements for funding of affordable housing projects as recommended by the ARCH (A Regional Coalition for Housing) Executive Board, utilizing funds from the City's Community Development Block Grant (CDBG) Fund.

Art Sullivan, A Regional Coalition for Housing (ARCH), noted Council packet materials beginning on page 11-13. He described a proposal to acquire and rehabilitate two homes for developmentally disabled adults utilizing the City of Bellevue's community development block grant funds. Kirkland City Council is considering the allocation of CDBG funds to support the project as well. Mr. Sullivan said ARCH's Citizen Advisory Board and Executive Board recommend approval of funding for the project, known as Parkview Homes VI. The two homes will serve six residents who will be displaced from developmentally disabled households that are currently leased.

Mayor Marshall questioned whether the small portion of private funding is typical for this type of project. Mr. Sullivan said the Federal Home Loan Bank is a private entity, although it is required by federal law to set aside some funds for this purpose. He said there is a range of private funding in ARCH's housing projects.

Responding to Mr. Lee, Mr. Sullivan said the Parkview Homes VI project represents a secured grant so the property must be utilized for its intended purpose. Parkview Services will own the property and work with local service providers to meet the needs of the residents. The Department of Social and Health Services will help select the residents and inspect the homes on an ongoing basis. Operation of the home will be funded through HUD Section 8 funds, King County Housing Authority, and support received by the residents through DSHS. Mr. Sullivan said ARCH monitors properties over time to ensure compliance with contracts. If issues arise, ARCH works with the funding cities to enforce contract conditions.

Responding to Dr. Davidson, Mr. Sullivan said the six residents to be served by the project currently live in Bellevue. Project staff hope to find Parkview Homes VI housing that will keep these residents in Bellevue.

Mayor Marshall said Council would like this and similar projects to serve residents of ARCH communities. She asked Mr. Sullivan to work with the City Manager, who serves on the ARCH Executive Board, to draft a letter communicating this priority to DSHS.

➡ Deputy Mayor Degginger moved to approve Resolution No. 6770, and Mr. Noble seconded the motion.

➡ The motion to approve Resolution No. 6770 carried by a vote of 6-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New business: None.

15. Executive Session: None.

16. Adjournment

At 8:43 p.m., Mayor Marshall declared recess to return to the Study Session.

Myrna L. Basich
City Clerk

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